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Attorneys for Defendant  
Experian Information Solutions, Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Bobby Alexander,  
  
Plaintiff,  
  
v.

Equifax Information Services, LLC; Experian  
Information Solutions, Inc.; Flagstar Bancorp,  
Inc. d/b/a Flagstar Bank; and Silver State  
Schools Credit Union,  
  
Defendants.

Case No. 2:17-cv-00139-APG-NJK

~~PROPOSED~~ AMENDED STIPULATED  
PROTECTIVE ORDER

IT IS HEREBY STIPULATED by and between Plaintiff Bobby Alexander (“Plaintiff”) and Defendant Experian Information Solutions, Inc. (“Experian”) (collectively, “the Parties”) through their respective attorneys of record as follows:

WHEREAS, documents and information have been and may be sought, produced or exhibited by and among the parties to this action relating to trade secrets, confidential research, development, technology or other proprietary information belonging to the defendants and/or personal income, credit and other confidential information of Plaintiff.

THEREFORE, an Order of this Court protecting such confidential information shall be and hereby is made by this Court on the following terms:

1           1.       This Order shall govern the use, handling and disclosure of all documents,  
2 testimony or information produced or given in this action which are designated to be subject to  
3 this Order in accordance with the terms hereof.

4           2.       Any party or non-party producing or filing documents or other materials in this  
5 action may designate such materials and the information contained therein subject to this Order  
6 by typing or stamping on the front of the document, or on the portion(s) of the document for  
7 which confidential treatment is designated, "Confidential."

8           3.       If a party or non-party producing documents in this action (a "Producing  
9 Party") believes in good faith that, despite the provisions of this Protective Order, there is a  
10 substantial risk of identifiable harm to the Producing Party if particular documents it designates  
11 as "Confidential" are disclosed to all other Parties or non-parties to this action, the Producing  
12 Party may designate those particular documents as "Confidential—Attorneys' Eyes Only."

13           ~~4.       To the extent any motions, briefs, pleadings, deposition transcripts, or other~~  
14 ~~papers to be filed with the Court incorporate documents or information subject to this Order,~~

See order at Docket ~~filing such papers shall designate such materials, or portions thereof, as~~  
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~~-----ntial" or "Confidential—Attorneys' Eyes Only," and shall file them with the clerk~~  
17 ~~under seal; provided, however, that a copy of such filing having the confidential information~~  
18 ~~deleted therefrom may be made part of the public record. Any party filing any document under~~  
19 ~~seal must comply with the requirements of Local Rules.~~

20           5.       All documents, transcripts, or other materials subject to this Order, and all  
21 information derived therefrom (including, but not limited to, all testimony, deposition, or  
22 otherwise, that refers, reflects or otherwise discusses any information designated  
23 "Confidential" or "Confidential—Attorneys' Eyes Only" hereunder), shall not be used, directly  
24 or indirectly, by any person, including Plaintiff and Experian for any business, commercial or  
25 competitive purposes or for any purpose whatsoever other than solely for the preparation and  
26 trial of this action in accordance with the provisions of this Order. As set forth in the preceding  
27 sentence, materials subject to this Order shall only be used for the preparation and trial of this  
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1 action and shall not be used in any litigation other than the above-captioned action.

2 6. Except with the prior written consent of the individual or entity designating a  
3 document or portions of a document as “Confidential,” or pursuant to prior Order after notice,  
4 any document, transcript or pleading given “Confidential” treatment under this Order, and any  
5 information contained in, or derived from any such materials (including but not limited to, all  
6 deposition testimony that refers, reflects or otherwise discusses any information designated  
7 confidential hereunder) may not be disclosed other than in accordance with this Order and may  
8 not be disclosed to any person other than: (a) the Court and its officers; (b) parties to this  
9 litigation; (c) counsel for the parties, whether retained counsel or in-house counsel and  
10 employees of counsel assigned to assist such counsel in the preparation of this litigation; (d) fact  
11 witnesses subject to a proffer to the Court or a stipulation of the parties that such witnesses need  
12 to know such information; (e) present or former employees of the producing party in connection  
13 with their depositions in this action (provided that no former employees shall be shown  
14 documents prepared after the date of his or her departure; and (f) experts specifically retained as  
15 consultants or expert witnesses in connection with this litigation.

16 7. Except with the prior written consent of the individual or entity designating a  
17 document or portions of a document as “Confidential—Attorneys’ Eyes Only”, or pursuant to  
18 prior Order after notice, any document, transcript or pleading given “Confidential—Attorneys  
19 Eyes Only” treatment under this Order, and any information contained in, or derived from any  
20 such materials (including but not limited to, all deposition testimony that refers to, reflects or  
21 otherwise discusses any information designated “Confidential—Attorneys Eyes Only”  
22 hereunder) may not be disclosed other than in accordance with this Order and may not be  
23 disclosed to any person other than: (a) a party’s retained outside counsel of record in this  
24 action, as well as employees of said outside counsel to whom it is reasonably necessary to  
25 disclose the information for this litigation and who have signed the “Declaration of  
26 Compliance” that is attached hereto as Exhibit A; (b) experts specifically retained as  
27 consultants or expert witnesses in connection with this litigation who have signed the  
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1 “Declaration of Compliance” (Exhibit A); (c) the Court and its personnel; (d) court reporters,  
2 their staffs, and professional vendors to whom disclosure is reasonably necessary for this  
3 litigation and who have signed the “Declaration of Compliance” (Exhibit A); and (e) the author  
4 of the document or the original source of the information.

5 8. Documents produced pursuant to this Order shall not be made available to any  
6 person designated in Subparagraph 6(f) or 7(b) unless he or she shall have first read this Order,  
7 agreed to be bound by its terms, and signed the attached Declaration of Compliance.

8 9. All persons receiving any or all documents produced pursuant to this Order shall  
9 be advised of their confidential nature. All persons to whom confidential information and/or  
10 documents are disclosed are hereby enjoined from disclosing same to any person except as  
11 provided herein, and are further enjoined from using same except in the preparation for and trial  
12 of the above-captioned action between the named parties thereto. No person receiving or  
13 reviewing such confidential documents, information or transcript shall disseminate or disclose  
14 them to any person other than those described above in Paragraph 6 and Paragraph 7 and for the  
15 purposes specified, and in no event shall such person make any other use of such document or  
16 transcript.

17 10. Nothing in this Order shall prevent a party from using at trial any information  
18 or materials designated “Confidential” or “Confidential—Attorneys’ Eyes Only.”

19 11. This Order has been agreed to by the parties to facilitate discovery and the  
20 production of relevant evidence in this action. Neither the entry of this Order, nor the  
21 designation of any information, document, or the like as “Confidential” or “Confidential—  
22 Attorneys’ Eyes Only,” nor the failure to make such designation, shall constitute evidence with  
23 respect to any issue in this action.

24 12. Within sixty (60) days after the final termination of this litigation, all documents,  
25 transcripts, or other materials afforded confidential treatment pursuant to this Order, including  
26 any extracts, summaries or compilations taken therefrom, but excluding any materials which in  
27 the good faith judgment of counsel are work product materials, shall be returned to the Producing  
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1 Party.

2 13. In the event that any party to this litigation disagrees at any point in these  
3 proceedings with any designation made under this Protective Order, the parties shall first try to  
4 resolve such dispute in good faith on an informal basis. If the dispute cannot be resolved, the  
5 party objecting to the designation may seek appropriate relief from this Court. During the  
6 pendency of any challenge to the designation of a document or information, the designated  
7 document or information shall continue to be treated as “Confidential” or “Confidential—  
8 Attorneys’ Eyes Only” subject to the provisions of this Protective Order.

9 14. Nothing herein shall affect or restrict the rights of any party with respect to its  
10 own documents or to the information obtained or developed independently of documents,  
11 transcripts and materials afforded confidential treatment pursuant to this Order.

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15. The Court retains the right to allow disclosure of any subject covered by this stipulation or to modify this stipulation at any time in the interest of justice.

**IT IS SO STIPULATED.**

Dated September 6, 2017

/s/ Miles N. Clark  
Matthew I. Knepper, Esq.  
Nevada Bar No. 12796  
Miles N. Clark, Esq.  
Nevada Bar No. 13848  
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Attorneys for Plaintiff

/s/ Jennifer L. Braster

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Las Vegas, NV 89145

Attorney for Defendant Experian Information  
Solutions, Inc.

## ORDER

**IT IS SO ORDERED.**

Dated: September 7, 2017

UNITED STATES MAGISTRATE JUDGE

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**EXHIBIT A**  
**DECLARATION OF COMPLIANCE**

I, \_\_\_\_\_, declare as follows:

1. My address is \_\_\_\_\_.

2. My present employer is \_\_\_\_\_.

3. My present occupation or job description is \_\_\_\_\_.

4 I have received a copy of the Stipulated Protective Order entered in this action on \_\_\_\_\_, 20\_\_\_\_.

5. I have carefully read and understand the provisions of this Stipulated Protective Order.

6. I will comply with all provisions of this Stipulated Protective Order.

7. I will hold in confidence, and will not disclose to anyone not qualified under the Stipulated Protective Order, any information, documents or other materials produced subject to this Stipulated Protective Order.

8. I will use such information, documents or other materials produced subject to this Stipulated Protective Order only for purposes of this present action.

9. Upon termination of this action, or upon request, I will return and deliver all information, documents or other materials produced subject to this Stipulated Protective Order, and all documents or things which I have prepared relating to the information, documents or other materials that are subject to the Stipulated Protective Order, to my counsel in this action, or to counsel for the party by whom I am employed or retained or from whom I received the documents.

10. I hereby submit to the jurisdiction of this Court for the purposes of enforcing the Stipulated Protective Order in this action.

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1 I declare under penalty of perjury under the laws of the United States that the following is  
2 true and correct.

3 Executed this \_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_.

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